

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JESSE BELL,)
)
Plaintiff,)
)
vs.) No. 4:21-cv-00061-AGF
)
JEFFERSON COUNTY SHERIFF)
DEPARTMENT, et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's motion to lift the stay entered in this case and proceed to discovery. (Doc. No. 35). Plaintiff, acting *pro se*, brought this action pursuant to 42 U.S.C. § 1983, raising two claims of excessive force. The first claim relates to his arrest on June 20, 2020,¹ and the second relates to his arrest on November 15, 2020.² The Court previously stayed this case pending the final disposition of the state court criminal proceedings against Plaintiff in *State v. Bell*, No. 20JE-CR04996-01 (23rd

¹ Plaintiff has been charged with the following crimes arising out of his June 20, 2020 arrest: (1) stealing \$25,000 or more; (2) resisting/interfering with arrest for a felony; and (3) property damage in the first degree. *See State v. Bell*, No. 20JE-CR04996-01 (23rd Jud. Cir. filed Mar. 22, 2021). His jury trial is set for January 3, 2022. *Id.*

² Plaintiff has been charged with the following crimes arising out of his November 15, 2020 arrest: (1) resisting/interfering with arrest for a felony; (2) stealing \$750 or more; (3) tampering with a motor vehicle in the first degree; and (4) possession of a controlled substance except 35 grams or less of marijuana/synthetic cannabinoid. *See State v. Bell*, No. 20JE-CR04564 (23rd Jud. Cir. filed Apr. 27, 2021). His jury trial is set for January 3, 2022. *Id.*

Jud. Cir. filed Mar. 22, 2021) and *State v. Bell*, No. 20JE-CR04564 (23rd Jud. Cir. filed Apr. 27, 2021), followed by the final disposition of any appellate proceedings.

Plaintiff states that on October 19, 2021, he accepted a plea agreement in both of his criminal cases, and as such requests this Court lift the stay in this matter and rule on his previously filed motion for discovery. A review of the dockets in Plaintiff's criminal cases reveals that the matters are still pending. Although Plaintiff entered guilty pleas and was sentenced in both cases on October 19, 2021, a hearing on the pleas is scheduled for November 10, 2021.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion to lift the stay in this matter is **DENIED** without prejudice, subject to refiling upon the completion of these cases and any appeals. (Doc. No. 35).


AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 29th day of October, 2021.